



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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October 7, 2016

**BY ECF**

Honorable Nina Gershon  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Austria Bueno v. The City of New York, 16 CV 1749 (NG)(RML)


Dear Judge Gershon:

I am an attorney in the office of Zachary W. Carter, Corporation Counsel of the City of New York, and attorney for Defendant City of New York in the above referenced action. Defendant submits this letter to request that the pre-motion conference, currently scheduled for Wednesday, November 9, 2016, be postponed to the following week, or another date that is convenient for the court.

On September 15, 2016, Defendant electronically filed a letter requesting a conference for the purpose of seeking permission to file a motion under Rule 12 of the Federal Rules of Civil Procedure. Plaintiff responded to that letter on September 22, 2015, and on October 4, 2016, your Honor scheduled the pre-motion conference for November 9, 2016. Counsel for Defendant, however, is scheduled to be on vacation during the week of November 7, 2016. Accordingly, Defendant asks that the pre-motion conference be adjourned until the week of November 14, 2016, or another date that is convenient for the court. Counsel for Plaintiff consents to this request, however, he is not available on Monday, November 14, 2016.

Thank you for your consideration of this request.

Respectfully submitted,

  
Nicholas Ciappetta (NC 1014)

cc: Robert Sanderman, Esq.  
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(via ECF)